

FILED

January 14 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. DA-09-0644

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JAN 14 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

**BARRY GRAY and DAWN GRAY, and
WAYNE FINCH and BRENDA FINCH,**

Appellants,

v.

AMENDED JOINT
NOTICE OF APPEAL

**ROBERT R. WILSON and HEATHER E.
WILSON,**

Appellees.

COME NOW the Appellants above-named, BARRY GRAY, DAWN
GRAY, WAYNE FINCH, and BRENDA FINCH, who are Plaintiffs in that cause

of action filed in the Nineteenth Judicial District, in and for the County of Lincoln, as Cause No. DV-09-80, and hereby amend their Joint Notice of Appeal, filed on December 4, 2009. Plaintiffs'/Appellants' amend their Joint Notice of Appeal only as to that certification that the appeal is subject to the mediation process. Accordingly, that certification is amended to read as follows:

THE APPELLANT FURTHER CERTIFIES:

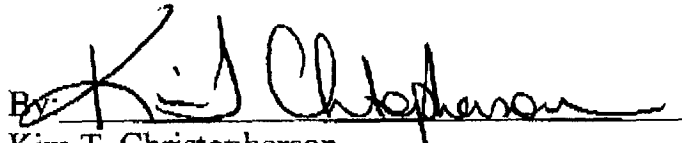
1. That this appeal is not subject to the mediation process required by M. R. App. P. 7.

This AMENDED JOINT NOTICE OF APPEAL relates back to the JOINT NOTICE OF APPEAL filed on December 4, 2009, and all other aspects of that NOTICE remain the same and are incorporated by this reference.

Counsel for Defendants/Appellees agrees that this appeal is not subject to the mediation process otherwise required by M. R. App. P. 7.

Dated this 14th day of January, 2010.

CHRISTOPHERSON LAW OFFICE, P.C.

By: 
Kim T. Christopherson
Attorneys for the Plaintiffs/Appellants

CERTIFICATE OF SERVICE

I hereby certify that I have filed by facsimile a true and accurate copy of the foregoing AMENDED JOINT NOTICE OF APPEAL with the Clerk of the Montana Supreme Court on January 14, 2010 at approximately 12:52 P.M. The original of the foregoing AMENDED JOINT NOTICE OF APPEAL was also sent to the Clerk of the Montana Supreme Court on January 14, 2010 by U.S. Mail, First Class Postage Pre-paid..

I further certify that on January 14, 2010, I served true and accurate copies of the foregoing AMENDED JOINT NOTICE OF APPEAL upon the Clerk of District Court, each attorney of record, the court-reporter from whom transcripts were ordered, the court-appointed mediator, and each party not represented by an attorney in the above-referenced District Court action as follows:

1. Clerk of District Court
512 California Avenue
Libby, MT 59923
By First Class U.S. Mail
2. Amy N. Guth
Attorney for the Appellees
408 Main Avenue
Libby, Montana 59923
By E-Mail and First Class U.S. Mail

3. Channing Hartelius
Hartelius, Durocher & Winter, P.C.
P.O. Box 1629
Great Falls, MT 59401
By E-mail and First Class U.S. Mail
4. Debra S. Kambel
Court Reporter
512 California Avenue
Libby, Montana 59923
By First Class U.S. Mail

Dated this 14th day of January, 2010.

CHRISTOPHERSON LAW OFFICE, P.C.

By 

Kim T. Christopherson
Tenth & Main Center
1001 South Main Street
Kalispell, MT 59901
Attorneys for the Plaintiffs/Appellants